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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,377	08/21/2003	Gary Lamolinara	030012	7458
9961	7590	03/02/2006		
PAUL A. BECK & ASSOCIATES SUITE 100 1575 McFARLAND ROAD PITTSBURGH, PA 15216-1808			EXAMINER NEGRON, ISMAEL	
			ART UNIT 2875	PAPER NUMBER

DATE MAILED: 03/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/645,377	LAMOLINARA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Ismael Negron	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>1/30/04, 12/14/05</u> .   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment filed on December 7, 2005 has been entered. Claims 1 and 2 have been amended. No claim has been cancelled, or added. Claims 1-7 are still pending in this application, with claims 1, 3 and 6 being independent.

### *Title*

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: **Light Fixture Assembly including Releasable Non-Threadable Locking Mechanism.**

### *Abstract*

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology

often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

3. The abstract of the disclosure is objected to because of typographical errors, and it uses phrases which can be implied. Correction is required. See MPEP § 608.01(b).

4. The Examiner respectfully suggests amending the abstract as follows:

~~his invention provides a~~ A light fixture assembly having a light fixture body, and a mount for the light fixture body, ~~and method for installing a light fixture. There is a locking mechanism for nonthreadably~~ and releaseably coupling the light fixture body to the mount. A first portion of the locking mechanism is attached to the light fixture body. ~~A,~~ while a second portion of the locking mechanism is attached to the mount. ~~The light fixture body can be attached to the mount. The locking means~~ mechanism can include twist locking the light fixture body to the mount.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by BRAY (U.S. Pat. 5,249,112).
6. BRAY discloses a light fixture having:
  - **a light fixture body (as recited in Claim 1)**, Figure 2, reference number 10;
  - **a mount (as recited in Claim 1)**, Figure 2, reference number 20;
  - **the mount being for attaching the light fixture to a support structure (as recited in Claim 1)**, column 2, lines 59-63;
  - **a locking mechanism (as recited in Claim 1)**, column 3, lines 4-11;
  - **the locking mechanism being for nonthreadably releaseably coupling the body to the mount (as recited in Claim 1)**, column 3, lines 4-11;
  - **a first portion of the locking means (as recited in Claim 1)**, Figure 2, reference number 24;

- **a second portion of the locking means (as recited in Claim 1),**  
Figure 2, reference number 18;
- **the first portion being attached to the body (as recited in Claim 1), as seen in Figure 2;**
- **the second portion being attached to the mount (as recited in Claim 1), as seen in Figure 2;**
- **coupling the body to the mount including twist locking (as recited in Claim 2), column 3, lines 19-21;**
- **the mount including a lighting socket (as recited in Claim 4),**  
Figure 2, reference number 40; and
- **the socket being hard wired (as recited in Claim 4), column 3,**  
lines 67 and 68.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 3, 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over BRAY (U.S. Pat. 5,249,112).

8. BRAY discloses a method for assembling a light fixture, such method including:

- **providing a light fixture assembly (as recited in claims 3 and 6), as seen in Figure 2;**
- **the light fixture assembly having a light fixture body (as recited in claims 3 and 6), Figure 2, reference number 10;**
- **the light fixture assembly having a post mount (as recited in claims 3 and 6), as seen in Figure 13;**
- **the light fixture assembly having a coach mount (as recited in claims 3 and 6), as seen in Figure 7;**
- **the light fixture assembly having finishing piece (as recited in claims 3 and 6), Figure 2, reference number 14;**
- **selecting and appropriate mounting piece (as recited in claims 3 and 6), inherent;**
- **attaching the selected mounting piece and the finishing piece to the light fixture body without using any tools (as recited in claims 3 and 6), as evidenced by Figure 7;**
- **the post mount including a lighting socket (as recited in claims 5 and 6), Figure 13, reference number 40;**

- **the coach mount including a lighting socket (as recited in claims 5 and 6), Figure 7, reference number 40; and**
- **the lighting socket being hard wired to a respective mount (as recited in Claim 5), column 3, lines 67 and 68.**

9. BRAY discloses all the limitations of the claimed method, except the light fixture assembly having a chain mount, such mount including a lighting socket (as recited in claims 3 and 6).

10. It would have been obvious to one of ordinary skill in the art at the time the claimed invention was made to a chain mount with a lighting socket since the Examiner takes Official Notice that such chain mounts are old and well known in the illumination art, as implied by the applicant (see paragraphs 2 and 3). One would have been motivated to increase the shapes, combination and components, capable of being formed by the patented light fixture of BRAY, as per the teachings of BRAY.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over BRAY (U.S. Pat. 5,249,112).

12. BRAY discloses a light fixture having:

- **a light fixture body (as recited in Claim 1), Figure 2, reference number 10;**
- **a mount (as recited in Claim 1), Figure 2, reference number 20;**



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- **the mount being for attaching the light fixture to a support structure (as recited in Claim 1), column 2, lines 59-63;**
- **a locking mechanism (as recited in Claim 1), column 3, lines 4-11;**
- **the locking mechanism being for nonthreadably releaseably coupling the body to the mount (as recited in Claim 1), column 3, lines 4-11;**
- **a first portion of the locking means (as recited in Claim 1), Figure 2, reference number 24;**
- **a second portion of the locking means (as recited in Claim 1), Figure 2, reference number 18;**
- **the first portion being attached to the body (as recited in Claim 1), as seen in Figure 2;**
- **the second portion being attached to the mount (as recited in Claim 1), as seen in Figure 2;**
- **the first portion being a flange, as seen in Figure 2;**
- **the first portion having three notches extending from the flange (as recited in Claim 7), Figure 2, reference number 26;**
- **the second portion being a hole, as seen in Figure 2;**
- **the second portion having three tabs extending into the hole (as recited in Claim 7), Figure 2, reference number 28.**

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13. BRAY discloses all the limitations of the claims, except the first portion being a hole and the second portion being a flange (as recited in Claim 7).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to form the first portion as a hole and the second portion as a flange, reversing the arrangement of the patented structure of BRAY, since it has been held by the courts that a mere reversal of the essential working parts of a device involves only routine skill in the art. *In re Gazda*, 219 F.2d 449, 104 USPQ 400 (CCPA 1955). In this case, forming the first portion as a hole and the second portion as a flange, did not change the coupling structure of its operation and functionality. The specific location of the hole/flange combination would have flown naturally to one of ordinary skill in the art as desire/necessitated by the particular requirements of a given light fixture system.

#### ***Relevant Prior Art***

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Doane** (U.S. Pat. 1,743,847), **Geiger et al.** (U.S. Pat. 1,979,968), **Douglas** (U.S. Pat. 2,110,133), **Sclafani** (U.S. Pat. 3,362,670), **Rossi** (U.S. Pat. 3,514,010), **Donato** (U.S. Pat. 3,593,020), **Mohr** (U.S. Pat. 4,281,895), **Graham et al.** (U.S. Pat. 4,363,087), **Klaus** (U.S. Pat. 4,754,383), **Lupien** (U.S. Pat. 4,982,313), **Altman** (U.S. Pat.

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5,274,537), **Narumi et al.** (U.S. Pat. 5,375,046), **Haddad** (U.S. Pat. 6,585,398) and **Wang** (U.S. Pat. App. Pub. 2004/0100800) evidenced the old and well known in the illumination art status of bayonet mounts, such as the claimed locking mechanism.

### ***Response to Arguments***

16. Applicant's arguments filed on December 7, 2005 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

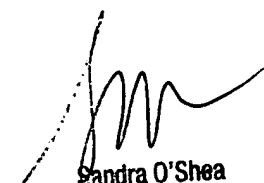
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (571) 273-8300.

18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications maybe obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.



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